

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TIME'S UP, INC.,

Plaintiff,

NOTICE OF MOTION

07-CV-9557 (PAC)

-against-

THE CITY OF NEW YORK, COMMISSIONER OF THE
CITY POLICE DEPARTMENT RAY KELLY, OFFICER
CAROLYN FANALE, OFFICER STEVEN BOBBETT,
OFFICER LUIS MORTIMER, DEPUTY INSPECTOR
THOMAS GRAHAM, and APPROXIMATELY 34
OTHER UNIDENTIFIED NEW YORK CITY POLICE
OFFICERS,

Defendants.
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PLEASE TAKE NOTICE that upon the annexed declaration of Arthur G. Larkin, Esq.,
the exhibits thereto, the memorandum of law submitted herewith, and upon all prior pleadings
and proceedings had herein, Defendants will move this Court before the Hon. Paul A. Crotty, at
the Courthouse, 500 Pearl Street, New York, New York 10007, on a date and time to be
determined by the Court, for an order pursuant to Rules 12(b)(1) and 12(b)(6) dismissing the
complaint with prejudice, and for such other relief as the Court deems proper.

Dated: New York, New York
January 14, 2008

MICHAEL A. CARDOZO
Corporation Counsel, City of N.Y.
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New York, New York 10007
(212) 788-1599

By: /s/
Arthur G. Larkin (AL 9059)
Assistant Corporation Counsel

TO: WYLIE M. STECKLOWE, ESQ.
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(By ECF)